

ATXI has been unsuccessful in obtaining easements from Lola Horn, Diana Quinton and Barbara Vaughan. The two parcels at issue are adjacent tracts located along the Mt. Zion to Kansas segment of the Project in Moultrie County, Illinois. Ms. Horn owns one of those parcels, A\_ILRP\_ZK\_MO\_099, in fee simple. Ms. Horn holds a life estate in the other, A\_ILRP\_ZK\_MO\_099-1, with her daughters Diana and Barbara standing as the remaindermen. As summarized on Exhibit 2.1, ATXI has contacted, or attempted to contact, Ms. Horn or her attorney Paul Stone on at least 96 occasions, including 8 emails, 3 letters, 34 in-person meetings, 23 phone calls, and 28 voicemails.

In sum, the parties have been unable to come to an agreement about the appropriate level of compensation due for the easements. Mr. Stone has indicated on numerous occasions that neither routing nor language are contested. The landowners have provided a counteroffer that is approximately two times ATXI's current offer, which has been increased during negotiations to incorporate items including crop yield figures provided by the landowners. The delta between ATXI's offer and the landowners' counter is driven almost exclusively by differences in opinion as to the applicability of damages to the remainder of the parcels on which the easements will be located. ATXI's appraisers disagree with the landowners' assessment of these damages and information on which said assessment is based, including a study that was provided by Mr. Stone on June 9, 2016.

In conclusion, compensation is the sole issue preventing these tracts from closing. Discussions have been productive and amicable, but given the substantial differences in opinion as to valuation, ATXI believes it is unlikely that the parties will reach a voluntary agreement in a time frame supportive of this line segment's in-service date. Therefore, ATXI requests eminent domain authority over these parcels.

### Agent Checklist with Landowner

1. Landowner contacted to set up initial appointment no sooner than 14 days after the 14 day letter was sent ☒
2. Initial appointment set for 16 April 2014 ☒
3. Activity Note entered regarding Initial Meeting, including specifics regarding landowner concerns, if any, and details of meeting ☒
4. Prepare and review Acquisition documents and maps ☒
5. Provide landowner with business card and show Ameren ID badge ☒
6. Ask the landowner they received the 14 day letter: ☒
  - a. Ask if the landowner read 14 days letter
  - b. Does landowner have any questions regarding letter:

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7. Provide/explain the purpose of the project ☒
8. Discuss routing and how it affects landowner: ☒
  - a. Provide Fact Sheet about the project
  - b. Provide landowner copies of:
    - i. Small scale map of the project
    - ii. Sketch and description of type of facilities/structures
    - iii. Approximate location of facilities
    - iv. Option for Easement including exhibit showing length and width of the easement area
    - v. Memorandum of Option Exhibit B
9. Make compensation offer, provide calculation sheet and explain basis of offer ☒
10. Discuss subordination of mortgage, if applicable ☒
11. Complete Construction Questionnaire, including name of tenant, if applicable ☒
12. Provide EMF brochure, if requested ☒
13. Enter initial offers and counter-offers if any, into CLS Viewer. Contact tenant, as appropriate; complete tenant consent form if applicable ☒
14. Agent Name (Print and Sign) John Allen, Jr. ☒  
 John J. Allen, Jr.

# Moultrie County, IL

Tax Id: 08-05-24-000-201



**Ameren - Illinois Rivers**



Contract Land Staff, LLC  
2245 Texas Drive, Suite 200  
Sugar Land, TX 77479

*For discussion purposes only. All measurements and distances are approximations and pend final survey and engineering.*



Route



Adjacent Tracts



Tracts



Section Boundary

0 180 360 720 1,080  
Feet

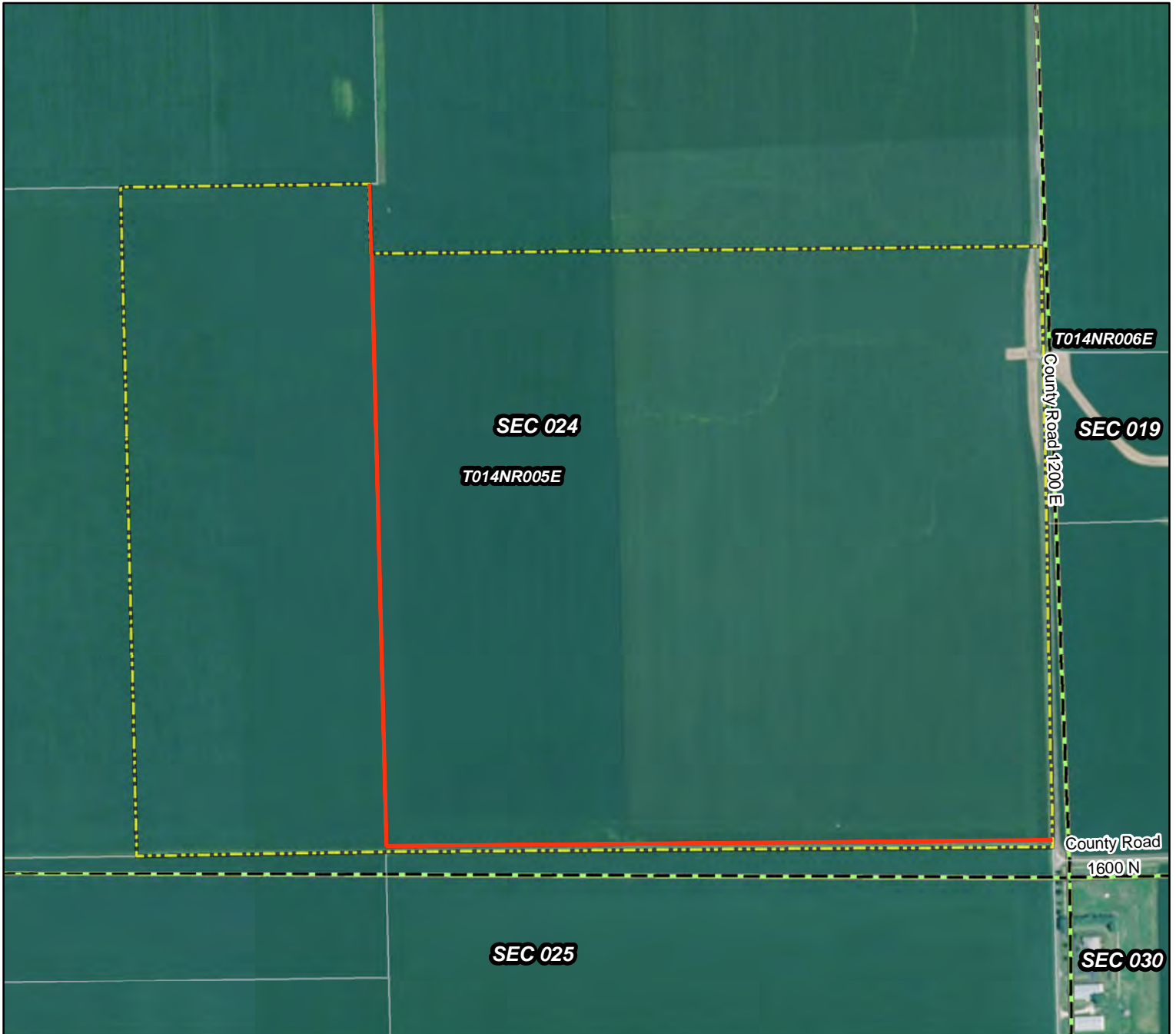
**Lola M. Horn**

Tract No.: A\_ILRP\_ZK\_MO\_099

Date: 5/18/2016

Moultrie County, IL

Tax Id: 05-24-000-201



**Ameren - Illinois Rivers**



Contract Land Staff, LLC  
2245 Texas Drive, Suite 200  
Sugar Land, TX 77479

*For discussion purposes only. All measurements and distances are approximations and pend final survey and engineering.*



- Route
- Tracts
- Adjacent Tracts
- Section Boundary

0 200 400 800 1,200 Feet

**Lola M. Horn**

Tract No.:A\_ILRP\_ZK\_MO\_099-1

Date: 5/18/2016



EXHIBIT "A"

A 4.073 ACRE TRACT OF LAND SITUATED IN THE EAST 1/2 OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE 3RD PRINCIPAL MERIDIAN, MOULTRIE COUNTY, ILLINOIS AND BEING PART OF A TRACT OF LAND DESCRIBED IN LAST WILL AND TESTAMENT TO LOLA M. HORN, RECORDED IN CAUSE NO. 90-P-47 OF THE COURT RECORDS OF MOULTRIE COUNTY, ILLINOIS (C.R.M.C.I.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A RAILROAD SPIKE FOUND AT THE NORTHWEST CORNER OF SAID EAST 1/2, SAID POINT OF BEGINNING HAVING GRID COORDINATES OF N:1087186.88, E:910367.06;

**THENCE** SOUTH 89 DEGREES 26 MINUTES 04 SECONDS EAST, ALONG THE NORTH LINE OF SAID EAST 1/2, A DISTANCE OF 75.01 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 00 DEGREES 13 MINUTES 56 SECONDS EAST, LEAVING SAID NORTH LINE, A DISTANCE OF 2,946.36 FEET TO A POINT FOR CORNER IN THE COMMON LINE OF SAID HORN TRACT AND A TRACT OF LAND DESCRIBED IN LAST WILL AND TESTAMENT TO LOLA M. HORN, LIFE ESTATE, AND THEN TO BARBARA SUE VAUGHN AND DIANA KAY QUINTON, RECORDED IN CAUSE NO. 90-P-47, C.R.M.C.I.;

**THENCE** NORTH 89 DEGREES 25 MINUTES 52 SECONDS WEST, ALONG SAID COMMON LINE, A DISTANCE OF 75.01 FEET TO A POINT FOR CORNER IN THE WEST LINE OF SAID EAST 1/2 AT A COMMON CORNER OF SAID HORN TRACT AND SAID HORN, VAUGHN AND QUINTON TRACT, FROM WHICH A RAILROAD SPIKE FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 24 BEARS SOUTH 48 DEGREES 06 MINUTES 26 SECONDS WEST, A DISTANCE OF 3,528.74 FEET;

**THENCE** NORTH 00 DEGREES 13 MINUTES 56 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 277.66 FEET TO A POINT FOR CORNER IN THE COMMON LINE OF SAID HORN TRACT AND A TRACT OF LAND DESCRIBED IN LAST WILL AND TESTAMENT TO ANNA JANE SAGER, RECORDED IN BOX 234, C.R.M.C.I.;

**THENCE** CONTINUING, ALONG THE COMMON LINE OF SAID HORN TRACT AND SAID SAGER TRACT, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

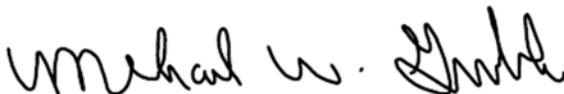
SOUTH 89 DEGREES 37 MINUTES 03 SECONDS EAST, A DISTANCE OF 32.65 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREES 13 MINUTES 56 SECONDS WEST, A DISTANCE OF 1,334.30 FEET TO A POINT FOR CORNER;

NORTH 89 DEGREES 31 MINUTES 33 SECONDS WEST, A DISTANCE OF 32.65 FEET TO A POINT FOR CORNER IN SAID WEST LINE;

**THENCE** NORTH 00 DEGREES 13 MINUTES 56 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 1,334.35 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 177,416 SQUARE FEET OR 4.073 ACRES OF LAND, MORE OR LESS.

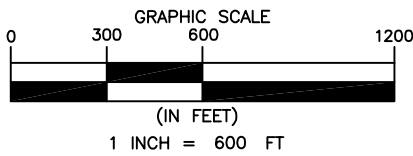
BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), EAST ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.



MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 035-002683  
STATE OF ILLINOIS PROFESSIONAL  
DESIGN FIRM LICENSE NO. 184.006475

DATE: 09/08/2015





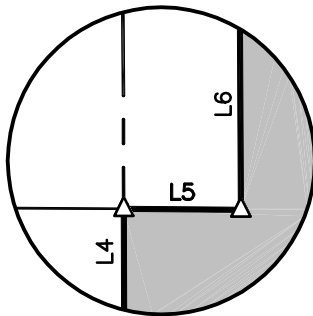
# EXHIBIT "A"

ATXI Exhibit 2.3 Part H

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P.O.B.  
GRID COORDINATES  
N:1087186.88  
E:910367.06

DETAIL "A"



(NOT TO SCALE)

TRACT A  
JOHN C. EDINGER  
DOCUMENT NO. 290409  
DOCUMENT NO. 290410  
D.R.M.C.I.  
AND  
CAUSE NO. 05-P-004841  
C.R.M.C.I.  
AND  
JOHN TIPSWORD AND  
MARILYN TIPSWORD TRUST  
DOCUMENT NO. 287736  
D.R.M.C.I.  
AND  
MARJORIE FERRIS  
AND MARILYN TIPSWORD  
DOCUMENT NO. 280575  
D.R.M.C.I.  
A\_ILRP\_ZK\_MO\_095

NORTH VINE  
MENNONITE CHURCH  
DOCUMENT NO. 291213  
D.R.M.C.I.  
ILRP\_ZK\_MO\_209

PARCEL 2  
THE LYNDIA JEAN SPAUGH  
FAMILY TRUST  
DOCUMENT NO. 294131  
D.R.M.C.I.  
ILRP\_ZK\_MO\_208

LOLA M. HORN  
CAUSE NO. 90-P-47  
C.R.M.C.I.  
A\_ILRP\_ZK\_MO\_099

PROPOSED VARIABLE  
WIDTH EASEMENT  
4.073 ACRES  
(177,416 S.F.)

SECTION 24  
TOWNSHIP 14N  
RANGE 5E

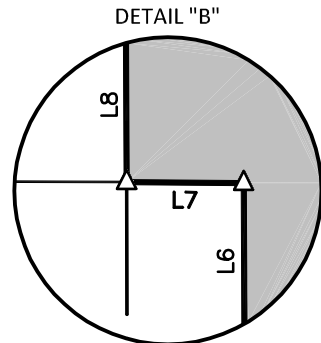
SEE DETAIL "B"

ANNA JANE SAGER  
BOX 234  
C.R.M.C.I.  
ILRP\_ZK\_MO\_210

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S89°26'04"E	75.01'
L2	S00°13'56"E	2946.36'
L3	N89°25'52"W	75.01'
L4	N00°13'56"W	277.66'
L5	S89°37'03"E	32.65'
L6	N00°13'56"W	1334.30'
L7	N89°31'33"W	32.65'
L8	N00°13'56"W	1334.35'

SEE DETAIL "A"

S48°06'26"W 3528.74'  
P.O.R.—RAILROAD SPIKE  
FOUND SW COR SEC 24

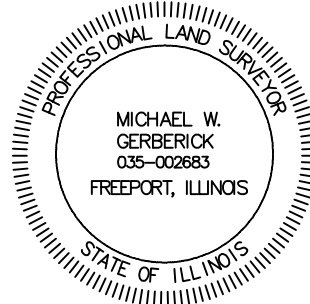


(NOT TO SCALE)

LOLA M. HORN,  
LIFE ESTATE  
AND  
BARBARA SUE VAUGHAN  
AND DIANA KAY QUINTON  
CAUSE NO. 90-P-47  
C.R.M.C.I.  
A\_ILRP\_ZK\_MO\_099-1

## LEGEND

C.R.M.C.I. COURT RECORDS  
MOULTRIE COUNTY, ILLINOIS  
DEED RECORDS  
D.R.M.C.I. MOULTRIE COUNTY, ILLINOIS  
P.O.B. POINT OF BEGINNING  
P.O.R. POINT OF REFERENCE  
RAILROAD SPIKE FOUND  
CALCULATED POINT  
SECTION LINE  
SUBJECT PROPERTY LINE  
PROPERTY LINE  
PROPOSED EASEMENT CENTERLINE  
PROPOSED EASEMENT



Michael W. Gerberick

MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
NO. 035-002683 - STATE OF ILLINOIS  
PROFESSIONAL DESIGN FIRM  
LICENSE NO. 184.006475 - STATE OF ILLINOIS

## NOTES:

- THIS EXHIBIT DOES NOT REFLECT ANY UNDERGROUND UTILITIES, EASEMENT OF RECORD OR OTHER ENCUMBRANCES THAT MAY AFFECT THE SUBJECT TRACT.
- REFERENCE IS MADE TO THE DESCRIPTION OF EVEN DATE ACCOMPANYING THIS SKETCH.

SHEET 02 OF 02

PROJECT: ILLINOIS RIVERS  
JOB NUMBER: 32359  
DATE: 09/08/2015  
SCALE: 1"=600'  
TRACT ID: A\_ILRP\_ZK\_MO\_099  
DRAWN BY: NAS



150' TRANSMISSION  
LINE EASEMENT  
MT. ZION TO KANSAS  
SECTION 24, TOWNSHIP 14 NORTH, RANGE 5 EAST  
OF THE 3RD PRINCIPAL MERIDIAN  
MOULTRIE COUNTY, ILLINOIS

EXHIBIT "A"

A 14.521 ACRE TRACT OF LAND SITUATED IN THE EAST 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE 3RD PRINCIPAL MERIDIAN, MOULTRIE COUNTY, ILLINOIS AND BEING PART OF A TRACT OF LAND DESCRIBED IN LAST WILL AND TESTAMENT TO LOLA M. HORN, LIFE ESTATE, AND THEN TO BARBARA SUE VAUGHAN AND DIANA KAY QUINTON, RECORDED IN CAUSE NO. 90-P-47 OF THE COURT RECORDS OF MOULTRIE COUNTY, ILLINOIS (C.R.M.C.I.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF SAID EAST 1/2, SAID POINT OF BEGINNING HAVING GRID COORDINATES OF N:1081870.05, E:910388.61;

**THENCE** NORTH 89 DEGREES 41 MINUTES 06 SECONDS WEST, ALONG THE SOUTH LINE OF SAID EAST 1/2, A DISTANCE OF 75.00 FEET TO A POINT FOR CORNER;

**THENCE** NORTH 00 DEGREES 13 MINUTES 56 SECONDS WEST, LEAVING SAID SOUTH LINE, A DISTANCE OF 2,648.54 FEET TO A POINT FOR CORNER IN THE NORTH LINE OF SAID EAST 1/2, FROM WHICH A RAILROAD SPIKE FOUND AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 BEARS SOUTH 44 DEGREES 04 MINUTES 27 SECONDS WEST, A DISTANCE OF 3,666.88 FEET;

**THENCE** SOUTH 89 DEGREES 37 MINUTES 03 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 75.00 FEET TO THE NORTHEAST CORNER OF SAID EAST 1/2;

**THENCE** SOUTH 00 DEGREES 13 MINUTES 56 SECONDS EAST, ALONG THE EAST LINE OF SAID EAST 1/2, A DISTANCE OF 277.66 FEET TO A COMMON CORNER OF SAID HORN, VAUGHN AND QUINTON TRACT AND A TRACT OF LAND DESCRIBED IN LAST WILL AND TESTAMENT TO LOLA M. HORN, RECORDED IN CAUSE NO. 90-P-47, C.R.M.C.I.;

**THENCE** SOUTH 89 DEGREES 25 MINUTES 52 SECONDS EAST, ALONG THE COMMON LINE OF SAID HORN, VAUGHN AND QUINTON TRACT AND SAID HORN TRACT, A DISTANCE OF 75.01 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 00 DEGREES 13 MINUTES 56 SECONDS EAST, LEAVING SAID COMMON LINE, A DISTANCE OF 2,273.04 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 89 DEGREES 21 MINUTES 15 SECONDS EAST, A DISTANCE OF 2,481.74 FEET TO A POINT FOR CORNER;

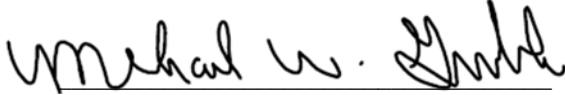
**THENCE** NORTH 89 DEGREES 50 MINUTES 12 SECONDS EAST, A DISTANCE OF 86.86 FEET TO A POINT FOR CORNER IN THE EAST LINE OF SAID SOUTHEAST 1/4, FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 6 EAST OF THE 3RD PRINCIPAL MERIDIAN BEARS NORTH 00 DEGREES 02 MINUTES 39 SECONDS EAST, A DISTANCE OF 5,168.02 FEET;

**THENCE** SOUTH 00 DEGREES 02 MINUTES 39 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 102.66 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4;

EXHIBIT "A"

**THENCE** NORTH 89 DEGREES 16 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 2,643.18 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 632,529 SQUARE FEET OR 14.521 ACRES OF LAND, MORE OR LESS.

BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), EAST ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.



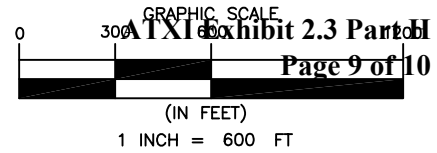
MICHAEL W. GERBERICK  
PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 035-002683  
STATE OF ILLINOIS PROFESSIONAL  
DESIGN FIRM LICENSE NO. 184.006475

DATE: 05/28/2015

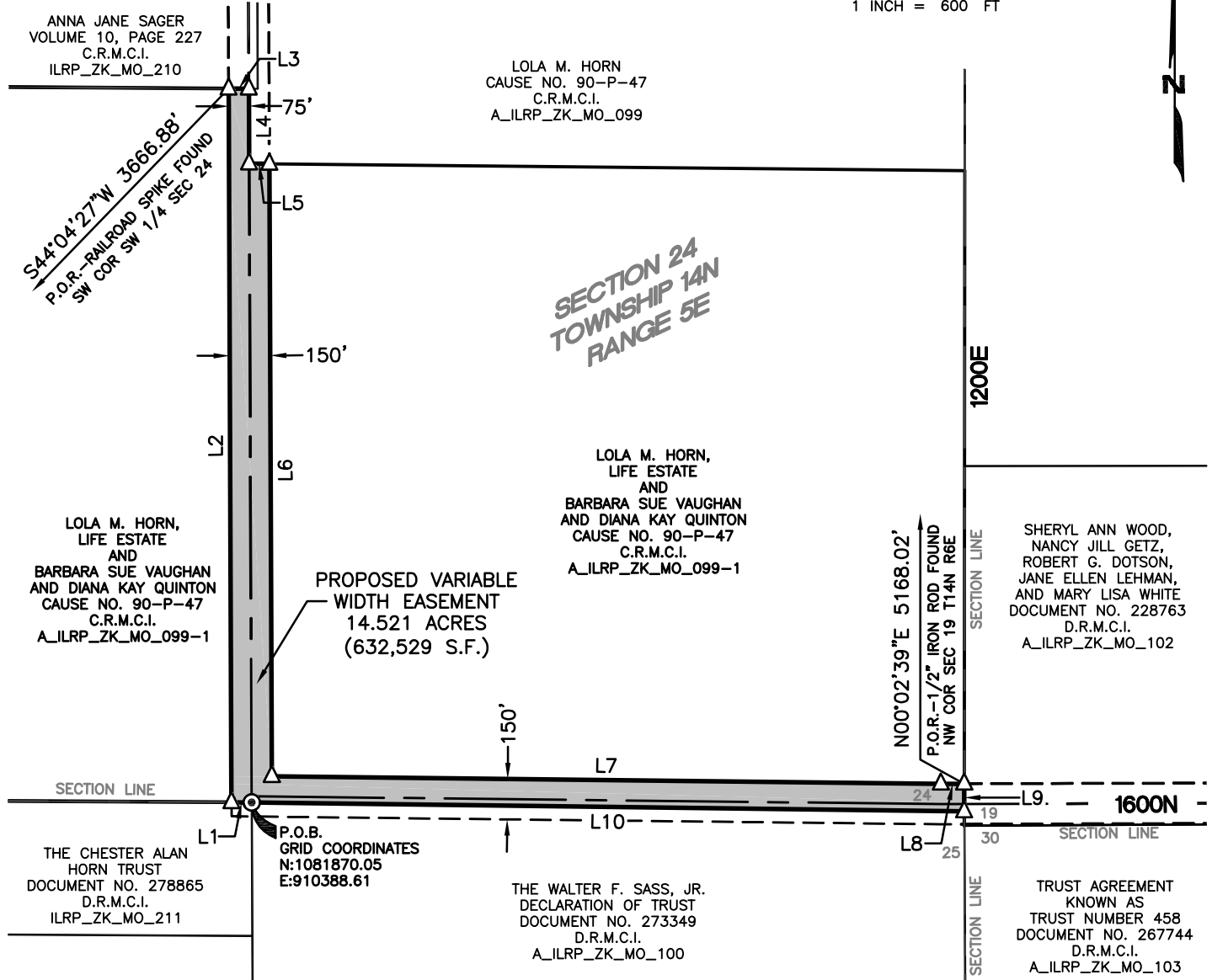




# EXHIBIT "A"



ATX Exhibit 2.3 Part 1  
Page 9 of 10



## LEGEND

C.R.M.C.I.

D.R.M.C.I.

P.O.B.

P.O.R.



2 1  
11 12

COURT RECORDS  
MOULTRIE COUNTY, ILLINOIS  
DEED RECORDS  
MOULTRIE COUNTY, ILLINOIS  
POINT OF BEGINNING  
POINT OF REFERENCE  
IRON PIPE FOUND  
CALCULATED POINT

TYPICAL SECTION CORNER

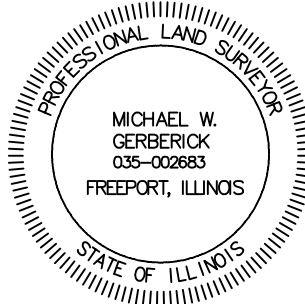
SECTION LINE

SUBJECT PROPERTY LINE

PROPERTY LINE

PROPOSED EASEMENT CENTERLINE

PROPOSED EASEMENT



*Michael W. Gerberick*

MICHAEL W. GERBERICK  
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LICENSE NO. 184.006475 - STATE OF ILLINOIS

## NOTES:

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2. REFERENCE IS MADE TO THE DESCRIPTION OF EVEN DATE ACCOMPANYING THIS SKETCH.

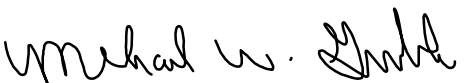
SHEET 03 OF 04

PROJECT: ILLINOIS RIVERS
JOB NUMBER: 32359
DATE: 05/28/2015
SCALE: 1"=600'
TRACT ID: A_ILRP_ZK_MO_099-1
DRAWN BY: NAS

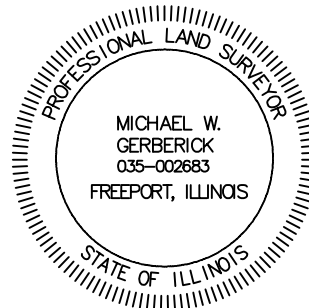


150' TRANSMISSION  
LINE EASEMENT  
MT. ZION TO KANSAS  
SECTION 24, TOWNSHIP 14 NORTH, RANGE 5 EAST  
OF THE 3RD PRINCIPAL MERIDIAN  
MOULTRIE COUNTY, ILLINOIS

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N89°41'06"W	75.00'
L2	N00°13'56"W	2648.54'
L3	S89°37'03"E	75.00'
L4	S00°13'56"E	277.66'
L5	S89°25'52"E	75.01'
L6	S00°13'56"E	2273.04'
L7	S89°21'15"E	2481.74'
L8	N89°50'12"E	86.86'
L9	S00°02'39"W	102.66'
L10	N89°16'36"W	2643.18'



MICHAEL W. GERBERICK  
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SHEET 04 OF 04

PROJECT: ILLINOIS RIVERS  
JOB NUMBER: 32359  
DATE: 05/28/2015  
SCALE: NOT TO SCALE  
TRACT ID: A\_ILRP\_ZK\_MO\_099-1  
DRAWN BY: NAS



150' TRANSMISSION  
LINE EASEMENT  
MT. ZION TO KANSAS  
SECTION 24 TOWNSHIP 14 NORTH, RANGE 5 EAST  
OF THE 3RD PRINCIPAL MERIDIAN  
MOULTRIE COUNTY, ILLINOIS